



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

First Named  
Inventor : Michael J. Gronseth et al.

Appln. No.: 10/608,969

Filed : June 27, 2003

For : SLIDER AND FABRICATION OF A  
TRAILING EDGE THEREFOR

Docket No.: S01.12-0985

Group Art Unit: 2652

Examiner: Tianjie  
Chen

**RESPONSE TO RESTRICTION REQUIREMENT**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS PAPER IS BEING  
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COMMISSIONER FOR PATENTS, P.O. BOX 1450,  
ALEXANDRIA, VA 22313-1450, THIS

17 DAY OF November 2005  
*Deutsche Krake*  
PATENT ATTORNEY

Sir:

In response to the Restriction Requirement dated October 19, 2005, Applicants hereby elect Group I - claims 1-5 and 13-22 with traverse. Pursuant to 37 C.F.R. § 1.143, Applicants respectfully request reconsideration and withdrawal of the requirement for restriction as follows.

A requirement for restriction should normally be made before any action on the merits and as early as possible in the prosecution. See, 37 C.F.R. § 1.142 and MPEP § 811. The Examiner's requirement for restriction follows a first Office Action on the merits, a Final Office Action and a Request for Continued Examination (RCE). A requirement for restriction following a first Office Action, Final Office Action and Request for Continued Examination is not prior to the first Office Action, nor early in the prosecution as set forth in 37 C.F.R. § 1.142 and MPEP § 811.

Since the restriction requirement is after the first Office Action in the application, the Examiner should consider if there will be a serious burden if restriction is not required. In

the present application, restricted claims 11, 12 and 23 of Group II are directed to a head comprising both a slider and trench. Previous claims 9, 11, and 12 were also directed to a head comprising a slider and trench. Claims 9, 11 and 12 were previously examined without restriction. Therefore, since claims directed to a slider and trench were previously examined, examination of claims 11, 12 and 23 does not create a serious burden to warrant restriction.

Based upon the foregoing, Applicants respectfully request withdrawal of the restriction requirement and examination of claims 1-5 and 11-23.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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DMK:rev